

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
MONROE DIVISION**

**TERRY LYNN WEBSTER**

**CIVIL ACTION NO. 05-1698**

**VERSUS**

**JUDGE ROBERT G. JAMES**

**RICHARD L. STALDER, ET AL.**

**MAG. JUDGE KAREN L. HAYES**

**RULING**

Pending before the Court is a civil rights complaint filed by Plaintiff Terry Lynn Webster. On April 10, 2006, Magistrate Judge Karen L. Hayes issued a Report and Recommendation [Doc. No. 11], in which she recommended that the complaint be denied and dismissed for failure to state a claim and as frivolous.

The Court agrees with and adopts the Report and Recommendation of Magistrate Judge with the following clarification:

On page 2, paragraph 4 of the Report and Recommendation, Magistrate Judge Hayes states that “Plaintiff complained that he was denied access to courts because, due to his indigence, he was unable to send certified mail.” However, on page 8, she concludes that “his claim that indigent inmates cannot afford certified mail fares no better. Plaintiff does not contend that indigent plaintiffs were denied access to the courts because of their inability to afford such postal services.” These statements are inconsistent since Plaintiff does contend that he was denied access to the courts because of his inability to afford certified mail.

However, the Court believes that Magistrate Judge Hayes intended to convey that Plaintiff failed to produce any evidence or provide specific examples of how his inability to use

certified mail inhibited his access to the courts. The Court agrees with that conclusion.

Accordingly, Plaintiff's civil rights complaint is DENIED and DISMISSED with prejudice.

MONROE, LOUISIANA, this 25<sup>th</sup> day of May, 2006.

  
ROBERT G. JAMES  
UNITED STATES DISTRICT JUDGE